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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ROBERT MCCARTHY

Plaintiff,

v.

**ALTAMIRA CORPORATION d.b.a.
ARBY'S ROAST BEEF RESTAURANT;
CHERRY CHASE INVESTORS; And DOES
1 THROUGH 10, Inclusive,**

Defendants.

Case No.: C07-05027 HRL

PROOF OF SERVICE

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CERTIFICATE OF PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action; my business address is 3033 Fifth Avenue, Suite 410, San Diego, California, 92103.

On this date, I served the following document(s) described as **CONSENT TO PROCEED BEFORE A US MAGISTRATE JUDGE.** on the following parties in this action by:

 X **BY ELECTRONIC SERVICE TRANSMISSION** via the United States District Court, Northern District of California, Case Management/Electronic Case Files, Filing System. I served a copy of the above listed document(s) to the e-mail addresses of the addressee(s) by use of email as identified and maintained therein.

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 BY MAIL: placing the original a true copy thereof enclosed in sealed enveloped addressed as stated above. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid, mailed at San Diego, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

 X **FEDERAL:** I declare that I am employed in the office of a member of the Bar of this Court, at whose direction this service was made.

EXECUTED on February 29, 2008, at San Diego, California.

/S/ David C. Wakefield
David C. Wakefield